



Docket No.: 101896-240  
PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Paul Birkmeyer et al.  
Application No. : 10/708,721  
Filed : March 19, 2004  
Entitled : SPINAL FIXATION ELEMENTS AND METHODS

Confirmation No.: 2720  
Group Art Unit: 3732  
Examiner: Not Yet Assigned

Certificate of Mailing (37 C.F.R. 1.8(a))

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June 18, 2004

By:

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Attorney for Applicant(s)

Commissioner for Patents  
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Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08 and attached hereto (copies of any U.S. Patents and Publications cited are not provided as this application was filed after June 30, 2003).


It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists, and in accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)), and thus no fees are

believed to be due. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101896-240.

Respectfully submitted,

Date: June 18, 2004

  
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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/708,721-Conf. #2720
				Filing Date	March 19, 2004
				First Named Inventor	Paul Birkmeyer
				Art Unit	3732
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	101896-0240

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-5,984,923	11-16-1999	Breard	
	AB	US-2002/0138077	09-26-2002	Ferree	
	AC	US-2004/0039384	02-26-2004	Boehm, JR. et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

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Examiner Signature		Date Considered	
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